RE QUESTION OF PRIVILEGE

SHRI T. R. BALU (Tamil Nadu): Mr. Chairman, Sir, at the outset, I am very much thankful to you for giving me this opportunity to raise an issue of privilege. (*Interruptions*) A day after the dismissal of the DMK Government led by my revered leader, Dr. Kalaignar Karunanidhi, on 31st January, 1991, at about 9 a.m., the women volunteers of the DMK who gathered on Anna Road, Madras, near the DMK Party Headquarters, to stage a peaceful demonstration in protest against the arbitrary dismissal of the DMK Government, were lathi-charged by the City Police.

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MR. CHAIRMAN: You said about it earlier. . . .

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SHRI T. R. BALU: I requested the police not to lathi-charge them as their demonstration was very peaceful and orderly. Then, when I was walking to the party office, suddenly, at the instigation of the City Police Commissioner, not only the women were lathi-sharged again, but to my surprise, I as assaulted brutally by two-sub-inspectors of police, by name Shri Thyagarajan and Shri Sivaprakasam, along with six TSP men, with lathis and rifle butts, even after I showed them the identity card issued by Parliament. I fell down and cried for medical aid, in extreme agony due to the assault. The City Police Commissioner was just witnessing the atrocity and did not prevent them from beating me up. He just kept mum when I cried for medical aid and even party workers were not allowed to take me to hospital.

After some time, Mr. Hussain, our party Assistant District Secretary, took me to the Government Royapettah hospital and I was admitted as an in-patient. I was treated for three days. I have not yet recovered from the barbarous attack since I am not able to move about freely due to the agonising pain at my back. There are stick marks on the back to be seen.

I have also been produced before the Governor of Tamil Nadu by Mr. N. Veerasamy, the headquarters secretary of DMK and Mr. Viduthalai Virumbi, hon. Member of this House. Mr. T. V. Antony, Chief Secretary, Government of Tamil Nadu, and Mr. V. Karthigeyan, the Advisor, also felt uncomfortable over the incident.

Adding insult to injury I understand the city police have filed an FIR in Crime No. 110/91 against me under sections 147, 148, 332, 336, 341, 427 I.P.C. and 2(1) of public Property Destruction Act (3) and 7(1)A Criminal Law Amendment Act, but I have not been arrested up to now.

The medical officer of Roypettah hospital told me that he did send a report of assault to the concerned police station since it is a medico-legal case. The concerned police did not contact me at the hospital to take down my complaint. It shows the mala fide intention of the police heirarchy to wipe off their grave act of violence infringing my right as a common citizen as well as a parliamentarian to defend those innocent women volunteers of my party. In this connection my leader Thiru M. Murasoli Maran has sent an express telegram on 31st itself to the Chairman of this august House.

Hence I request the Chairman of this august House to refer this matter to the Privileges Committee and take proper action against the erring police officials. The beating and assault on me, I consider, is an assault on democracy and its representatives, namely parliamentarians. The police officials should be made to understand where the authority halts. (*Interruptions*). I am sure hon. Members of this House, irrespective of party affiliations, will agree with me to refer the matter to the Privileges Committee for enquiry. (*Interruptions*).

SHRI V. GOPALSAMY (Tamil Nadu): Shame on the part of the police.

SHRI M. S. GURUPADASWAMY (Uttar Pradesh): Please refer this matter to the Privileges Committee.

MR. CHAIRMAN: Hon. Members, I have called for a report from the Home Ministry and the Home Ministry has been reminded again to send the report expeditiously.

SHRI MURASOLI MARAN (Tamil Nadu): It is not enough. It is a very serious matter.

MR. CHAIRMAN: Do not be in a hurry. We are following a procedure and as the whole House wants the report, we should get the report at the earliest and we will take action... (*Interruptions*) ... Naturally the whole House is concerned about assault on any Member of any party. It is not a party question, it is an assault on a Member of this House

SHRI MURASOLI MARAN: Today it is 22nd of February and so far no steps have been taken. What is the use of asking for a report? It should be referred directly to the Privileges Committee. What stands in the way, why are you hesitating Sir? (*Interruptions*). Then you take the sense of the House. This matter may be sent to the Privileges Committee.

MR. CHAIRMAN: I am asking the Government to send the report as early as possible.

पार्लियामेंटरी अफेयर्स और एम्प्लायमेंट मंत्री तथा संसदीय कार्य मंत्री (श्री सत्य प्रकाश मालवीय): माननीय सभापति जी, आपने व्यवस्था दे दी है और जो आपने आदेश दिया है उसका पूर्णतया पालन होगा।

श्री सभापति: जल्दी से जल्दी होना चाहिये, बहुत दिन हो गये हैं।

श्री सत्य प्रकाश मालवीय: इस मामले में गृह मंत्रालय से बात भी करायी जायेगी तथा बहुत जल्दी इस पर कार्यवाही करायी जायेगी।

MR. CHAIRMAN: The House want that the report should be here. . by Tuesday. Get the report by Tuesday. (*Interruptions*).

SHRI DIPEN GHOSH (West Bengal): I beg to remind you that the House has in similar cases asked the Home Department to send the report before the House adjourned for the day. Previously, it has happened when MPs. were assaulted and similar instructions went from the House that the Home Department must report before the House adjourns. So, today itself the Home Ministry must inform the House before it adjourns.

श्री शंकर दयाल सिंह (बिहार): सभापति जी, इस तरह की जो घटनाएं होती हैं उनमें किसी एक सदस्य की बेइज्जती नहीं होती है बल्कि मैं समझता हूं कि इसमें पूरे सदन की बेइज्जती है। ऐसी स्थिति में पूरे सदन की मर्यादा के लिए आपको व्यवस्था देनी चाहिए। इस संबंध में विधि मंत्रालय की रिपोर्ट आनी चाहिए।

MR. CHAIRMAN: I have asked them to send a report by Tuesday. ... (*Interruptions*) ...

SHRI MURASOLI MARAN: Sir, this incident happened on the 31st of January. Now, even after 23 days, nothing has happened; no report has been received by you from the Home Ministry. Now there is President's Rule in Tamil Nadu. So, the entire Tamil Nadu is under the control of the Home Ministry. Then what is the use of getting a report from them? It is a fact: you have seen the scars. The tradition has been, in the other House and this House, to send such matters directly to the Privileges Committee. Therefore, please look into the past. We have been sending them to the Privileges Committee.

SHRI SATYA PRAKASH MALAVIYA: Mr. Maran, why are you

shouting at the Chair? The Chair has already directed us to send a report.

SHRI MURASOLI MARAN: Let us not create a bad tradition. Today it is Mr. Balu, tomorrow it can happen to anyone. So, there need not be any party consideration. Therefore I request you, please send it to the Privileges Committee. Let the Home Ministry send a report to the Privileges Committee and let the Privileges Committee go into it. Therefore, Sir, with folded hands I may tell you, it is not a party matter.

SHRI V. GOPALSAMY: Sir, this has happened at the instance of the *Anna DMK Party in Tamil Nadu.* ....*(Interruptions)*... Only police raj is going on there.

SHRI G. SWAMINATHAN (Tamil Nadu): Sir, he is attributing motives. ...*(Interruptions)*... I am very sorry, Sir, that a matter has been brought here and the honourable Member here is casting aspersions against us. I strongly oppose this. ... *(Interruptions)* ...

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): That is in order to rely on the version given by the honourable Member *(Interruptions)*.

श्री शंकर दयाल सिंह : सभापति जी यह कोई दल का सवाल नहीं है और न ही किसी एक सदस्य का मामला है। इससे राज्यसभा पर, संसदीय प्रणाली पर आघात हुआ है। इसलिए मैं यह कहना चाहता हूं कि इस मामले को सीधे प्रिविलेज समिति को सौंपना चाहिए।

श्री सभापति : जो आपने कहा, मैं अंग्रेजी में वही बात बोली थी। मैंने भी यह कहा था कि पूरा हाउस इसमें दिलचस्पी रखता है लेकिन हमें कायदा पूरा करना है इसलिए मैं उनको कह रही हूं कि मंगलवार तक दे दें। उनको हमें इतनी देर नहीं करनी चाहिए। And they should not delay it. They must give us the report by Tuesday. Then we will take a decision by the 26th.

SHRI MURASOLI MARAN: Sir, we know what kind of a report we are going to get... *(Interruptions)* ... Please, please. Let the report be submitted to the Privileges Committee. ...*(Interruptions)*... Sir, even after 23 days, nothing has happened. How long can we tolerate? This is not an ordinary matter, please. Sir, once again I request you with folded hands.

MR. CHAIRMAN: I said, by Tuesday the report should come. ... *(Interruptions)* ...

SHRI MURASOLI MARAN: Sir, it has happened in Lok Sabha and it has happened in Rajya Sabha. Such kinds of matters have been immediately taken to the Privileges Committee directly. Why should we wait for the Home Ministry's report? We know what the Home Ministry's report is going to be.

MR. CHAIRMAN: I follow the procedures fully and I have asked them for a report by Tuesday. After getting the report...

SHRI MURASOLI MARAN: Why ask for the report of the Home Ministry? Please enlighten us.

MR. CHAIRMAN: Unfortunately, I have got a judicial background and judicial training. So, I don't decide issue ex-parte.

SHRI MURASOLI MARAN: Sir, you don't have faith and belief in honourable Members? Is that so, Sir? Don't you believe him? Don't you see the scars on his back?

MR. CHAIRMAN: I believe everybody ...*(Interruptions)*...

SHRI SATYA PRAKASH MALAVIYA: He is casting aspersions .. *(Interruptions)* ...

SHRI P. SHIV SHANKER (Gujarat): This is not fair.

SHRI MURASOLI MARAN: Please enlighten us: Which rule asks for a report from the Home Ministry? Kindly tell us under which rule you are asking, waiting.

MR. CHAIRMAN: Now, because you came to me, I permitted him to make a statement. Otherwise, I could have even stopped that. And don't take undue advantage of it.

SHRI MURASOLI MARAN: Sir, we are making an appeal to you.

SHRI V. GOPALSAMY: This is a matter for the Privileges Committee.

MR. CHAIRMAN: Now, the Question Hour has been suspended to discuss the Gulf situation. ... (*Interruptions*) ... This cannot be used for any other purpose. Let's start that.

SHRI V. GOPALSAMY: If we are going to get a report from the Home Ministry, the signal is, what justice will we get here? ... (*Interruptions*) ...

SHRI M. S. GURUPADASWAMY: Sir, may I make a submission on this?

MR. CHAIRMAN: Now we have started the Gulf issue. Nothing else, please. Only the Gulf situation.

SHRI M. S. GURUPADASWAMY: Sir, may I make a submission on this point? ... (*Interruptions*) ...

SHRI G. SWAMINATHAN: Sir, I get up to request you to expunge it from the records: He has criticized us as well. ... (*Interruptions*) ...

MR. CHAIRMAN: The whole House is exercised over the Gulf situation. The whole House is interested in the Gulf. People are dying every minute. If we can help in that, let us do it.

SHRI M. S. GURUPADASWAMY: I have heard Malaviyaji on this and your ruling also.

MR. CHAIRMAN: You come to the Gulf.

SHRI M. S. GURUPADASWAMY: Quite right. On this small point I would like to say that you please get a report from the Government of Tamil Nadu on this and refer this along with a motion to the Privileges Committee. Both of them can be considered together, Sir, Please consider it ... (*Interruptions*) ...

MR. CHAIRMAN: Mr. Gurupadaswamy, we are discussing only about the Gulf. You talk about the Gulf.

SHRI MURASOLI MARAN: Why this delay? (*Interruptions*)

MR. CHAIRMAN: No, no, no.

SHRI MURASOLI MARAN: That is our request.

MR. CHAIRMAN: I say, we are discussing about the Gulf only, nothing else. Nothing else will go on record.

SHRI MURASOLI MARAN: *

MR. CHAIRMAN: I am appealing to you. We have already lost half an hour.

SHRI MURASOLI MARAN: *

MR. CHAIRMAN: We are doing away with everything. Now let it not be known that we have only lip-sympathy for the Gulf affair. So, let us talk about the Gulf.

SHRI MURASOLI MARAN: *

MR. CHAIRMAN: Let me get a report. I will follow the regular procedure. (*Interruptions*)

SHRI MURASOLI MARAN: *

DR. RATNAKAR PANDEY (Uttar Pradesh): *

DR. ABRAR AHMED (Rajasthn): *

*Not recorded.

श्री शंकर दयाल सिंह : महोदय, यहां पर जो खाड़ी पर बहस होने जा रही है, ऐसे मौके पर विदेश मंत्री जी नहीं हैं। अगर आप चाहते हैं कि इस समस्या की गंभीरता कायम रहे तो प्रधान मंत्री को यहां आकर बैठना चाहिए। गंभीरता के साथ उनको जवाब देना चाहिए। जब तक प्रधान मंत्री जी नहीं आते हैं तब तक खाड़ी समस्या पर डिस्कशन शुरू नहीं किया जा सकता। इसलिए मेरी आपसे प्रार्थना है कि प्रधान मंत्री जी को बुलाएं।

श्री सभापति : उप-प्रधान मंत्री जी बैठे हैं...

श्री शंकर दयाल सिंह : मैं जानता हूं कि उप-प्रधान मंत्री जी की हैसियत प्रधान मंत्री से भी बढ़कर है, फिर भी मैं कहना चाहता हूं कि प्रधान मंत्री को आना चाहिए क्योंकि इस देश में कोई विदेश मंत्री नहीं है और प्रधान मंत्री के जिम्मे ही विदेश मंत्रालय भी है।

श्री सत्य प्रकाश मालवीय : प्रधान मंत्री जी लोक सभा में हैं। उप-प्रधान मंत्री जी यहां पर हैं। उप-मंत्री श्री दिग्विजय सिंह जी बैठे हैं।

श्री शंकर दयाल सिंह : उप-प्रधान मंत्री को विदेश मंत्री बना दें, हमें आपत्ति नहीं है... (व्यवधान)

SHRI PARVATHANENI UPENDRA: The resignation of the External Affairs Minister has been accepted, but there is no further communication on who will hold that portfolio. Therefore, we have to presume that the Prime Minister himself is looking after the portfolio. Therefore, he should be present here.

SHRI SATYA PRAKASH MALAVIYA: The Prime Minister is in the Lok Sabha.

SHRI PARVATHANENI UPENDRA: Who is in charge of the Ministry of Foreign Affairs? (*Interruptions*)

MR. CHAIRMAN: Mr. Gurupadaswamy has been the Leader of the House. He knows it.

SHRI M. S. GURUPADASWAMY: Mr. Chairman, Sir, I very well....

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): I request.

. . .

MR. CHAIRMAN: Let there be no gulf amongst us on this issue.

SHRI DINESH GOSWAMI (Assam): Procedurally, can we discuss a subject without a motion? Procedurally there must be a motion for a discussion.

MR. CHAIRMAN: I have decided no motion is necessary because the whole House is unanimous on this. It is a unanimous decision of the House.

SHRI DINESH GOSWAMI: But Sir, it must be in the form of a motion of a short duration discussion. Therefore, I would like to know if Mr. Gurupadaswamy is initiating that discussion.

MR. CHAIRMAN: Yes, it is initiating the discussion.

SHRI DINESH GOSWAMI: But there must be a notice.

SHRI M. S. GURUPADASWAMY: We have given the notice. Mr. Chairman, I well understand the predicament of the Government. There is no Minister for External Affairs at the moment. Perhaps they are searching for one.

SHRI A. G. KULKARNI (Maharashtra): The Deputy Prime Minister is there. (*Interruptions*)

SHRI HANSRAJ BHARDWAJ (Madhya Pradesh): Sir, he is misleading the House. (*Interruptions*)

SHRI M. S. GURUPADASWAMY: There seems to be a search for one. They have not got one yet. That seems to be the situation.

DISCUSSION ON GULF WAR AND ADOPTION OF RESOLUTION THEREON

SHRI M. S. GURUPADASWAMY: (Uttar Pradesh): Sir, today the House has agreed to suspend the Question Hour to discuss an extraordinarily important issue which concerns not only our country, but also the whole world. We never had a real debate in the past on the Gulf crisis or the Gulf war. This is the first time we are having this important discussion.

There are two or three things which I would like to highlight during this discussion—first, the Government of India's approach and policy towards this important problem and their attitude to solve this problem; and second the fall-out of this crisis on Indian life and Indian economy. I have been seeing this Government since it took over. Since then up to now, I do not find any positive, meaningful or effective initiative taken by the Government to help resolve the Gulf situation. What I find is to my surprise a very casual, weakened, hesitant and vacillating approach to the whole question. There is no consistency. There is no thrust. There is no enunciation of our approach either to the question of the Middle-East or to the question of the Gulf war. The so-called initiative so far taken has been too late. It has not created any impact either in the Gulf area or in the United Notions where this question has been debated. We have been following a mutually contradictory policy. We have been waiting for the events. We don't foresee the events The art of statesmanship, the art of diplomacy. Sir,, is to foresee the events and to formulate policy foreseeing such events. We have never done. When this matter has been debated in the Chancellaries of the various countries of the world, here we are taking this matter in a manner which does not bring prestige to this country. Sir, India all along has taken firm views on all vital issues and we have played our role in the past very effectively and this was appreciated by all. Today, our voice is not heard anywhere. India has a great tradition. We have denounced and deprecated war and aggression anywhere and tried to take a lead in such matters. We have never defended aggression. We never defended annexation of any territory. We believed in the basic tenets of peace and non-violence. And the Gulf war came up at what time? It came at a time when the world was settling down, when the cold war was being ended, when the confrontation between the super-powers was coming to a close. At that part of time this development took place in the Middle-East. What did we do at that time? We did our best when we were in the Government to protect our interests. We tried to protect the lives of our people. Nearly 5 lakh Indians or 6 lakh Indians are staying in the Middle East. We tried to protect them.

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[The Deputy Chairman in the Chair]

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But when this Government came to power, I expected them to take political and diplomatic initiatives and use the nonaligned forum and the United Nations to find out a solution to this problem. They have not done so. We thought there would be a contingency plan at least to take care of the fall-out of the Gulf crisis. The Prime Minister called an emergency meeting of the Cabinet. He also called a meeting of Chief Ministers. And the Planning Commission also had a meeting. But we do not find any plan emerging out of these conferences or meetings. I thought there would a contingency plan to meet the economic situation arising out of the Gulf crisis. We import nearly 90 per cent of oil, crude oil, from the Middle-East. We import 40 per cent of crude oil from the two countries Kuwait